

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-10122 V2

WATER RIGHT NUMBER: 29-10122 V2

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ROSS D REDFORD 2882 NIPPER RD BANCROFT, ID 83217 (208)648-7762
Directors Report Owner	THE THELMA REDFORD SPOUSAL TRUST 2882 NIPPER RD BANCROFT, ID 83217 (208)648-7762
Current Owner	KING CREEK GRAZING ASSN C/O WILDER HATCH, PRESIDENT 2787 KELLY TOPONCE RD BANCROFT, ID 83217

Priority Date: 07/06/1868

Basis: Decreed

Status: Closed

<u>Source</u>	<u>Tributary</u>
TOPONCE CREEK	PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	2.000 CFS	350.00 AF
	<u>Total Diversion:</u>	2.000 CFS	350.00 AF

Location of Point(s) of Diversion

TOPONCE CREEK	NW1/4NE1/4SW1/4	Sec. 35, Twp 06S, Rge 38E, B.M.
CARIBOU County		
TOPONCE CREEK	NW1/4NE1/4SE1/4	Sec. 34, Twp 06S, Rge 38E, B.M.
CARIBOU County		
TOPONCE CREEK	SW1/4SE1/4NW1/4	Sec. 35, Twp 06S, Rge 38E, B.M.
CARIBOU County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	39E	6															40.0	35.0	103.0
07S	39E	7	40.0	40.0	40.0		24.0			25.0	25.0			24.0					218.0
							L 1			L 2	L 3			L 4					

Total Acres: 321

IDAHO DEPARTMENT OF WATER RESOURCES
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Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

1. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 321 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.:29-10123, 29-10125, 29-10124, 29-13483, & 29-10122.
2. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 100 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. Explanatory THIS RIGHT IS A COMBINATION OF A PORTION OF OLD RIGHT NOS. 29-1, 29-2 AND 29-3 RESULTING FROM TRANSFER NO. 1560.

Comments:

1. cfritsch 4/14/2004 Updated Shapes

Comment: Shapes from Version 1 updated in SDE for PODs and POU.

2. cfritsch 4/14/2004 Updated Data Entry

Comment: Added diversion volume required by Transfer No. 1560 at 3.5 AF per acre for a total of 350 AF. Updated or deleted various remarks to be consistent with draft SF5s.

Dates and Other Information:

Decreed Date: 7/30/2004
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number: 29
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-10122 V1

WATER RIGHT NUMBER: 29-10122 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	THE THELMA REDFORD SPOUSAL TRUST 2882 NIPPER RD BANCROFT, ID 83217 (208)648-7762
Original Owner	ROSS D REDFORD 2882 NIPPER RD BANCROFT, ID 83217 (208)648-7762

Priority Date: 07/06/1868

Basis: Decreed

Status: Closed

<u>Source</u>	<u>Tributary</u>
TOPONCE CREEK	PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	2.000 CFS	585.00 AF
	<u>Total Diversion:</u>	2.000 CFS	585.00 AF

Location of Point(s) of Diversion

TOPONCE CREEK	NW1/4NE1/4SW1/4	Sec. 35, Twp 06S, Rge 38E, B.M.
CARIBOU County		
TOPONCE CREEK	NW1/4NE1/4SE1/4	Sec. 34, Twp 06S, Rge 38E, B.M.
CARIBOU County		
TOPONCE CREEK	SW1/4SE1/4NW1/4	Sec. 35, Twp 06S, Rge 38E, B.M.
CARIBOU County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	39E	6									28.0						40.0	35.0	103.0
											L 5								
07S	39E	7	40.0	40.0	40.0		24.0				25.0	25.0			24.0				218.0
							L 1				L 2	L 3			L 4				

Total Acres: 321

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

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2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

1. Quantity USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.24 CFS. COMBINED RIGHT NOS.:29-10123, 29-10125, 29-10124, 29-13483, & 29-10122.
2. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 321 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.:29-10123, 29-10125, 29-10124, 29-13483, & 29-10122.
3. Quantity USE OF THIS RIGHT IS LIMITED TO A TOTAL ANNUAL VOLUME OF 585 AF OR 293-24 HOUR SECOND FEET.
4. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 195 ACRES AT ANY ONE TIME WITHIN THE PLACE OF USE DESCRIBED ABOVE.
5. Explanatory THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS.29-1,29-2, 29-3 ,29-241 AND 29-242.

Comments:

1. cbird 6/5/2003 POU

Comment: T1560 WAS APPROVED IN 1968 AND ALLOWED FOR THE IRRIGATION OF NO MORE THAN 195 ACRES DURING AN IRRIGATION SEASON UNDER THIS COMBINED RIGHT.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number: 29
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
5.24		262

Combined Water Rights: 29-10123 , 29-10122 , 29-10124 , 29-10125 , 29-13483

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-10122 V1

SubCase:

SubCase Number: 29-10122
Class: 1
SF5 Filed Date: 4/22/2004
Special Master Recom Signed Date: 6/1/2004
Attorney Assigned:
Adjudication Agent: Roger Warner
Basis of Claim: Beneficial Use
Date Filed: 9/12/2003 Objection Status: Active